

PATENT"

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Catalyst Modifiers and Their Use in the Polymerization of Olefin(s)**

the specification of which is attached hereto unless the following box is checked:

[X] was filed on Sept. 9, 1999 as Application Serial No. or PCT International Application No. 09/392,421  
and was amended on (N/A) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate(s), or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s), or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119(e)(1)-(2) of any United States provisional application(s) listed below.

<u>                    </u> (Application Number)	<u>                    </u> (Filing Date)
<u>                    </u> (Application Number)	<u>                    </u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status - patented, pending, abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status - patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Lisa Kimes Jones	41,878
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Univation Technologies LLC 5555 San Felipe, Suite 1950 Houston, Texas 77056	(Name and Telephone Number) Jaimes Sher Phone No.: (713) 892-3668 Facsimile No.: (713) 892-3687

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	LAST NAME Wenzel	FIRST NAME Timothy	MIDDLE NAME T.
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Inventor's signature

Date 10/12/99

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Date 10/12/99

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			ZIP CODE 25314

Inventor's signature

Date 10/12/99

FULL NAME OF INVENTOR	LAST NAME Schreck	FIRST NAME David	MIDDLE NAME James	
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Inventor's signature

David James Schreck

Date

10/15/99

FULL NAME OF INVENTOR	LAST NAME Peterson	FIRST NAME Thomas	MIDDLE NAME H.	
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Inventor's signature

Thomas H. Peterson

Date

10/11/99

DECLAR.DOT

**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT,  
NOT ACCOMPANYING  
APPLICATION**

Application Number	09/392,421
Filing Date	September 9, 1999
First Named Inventor	Timothy T. Wenzel
Group Art Unit	1713
Examiner Name	
Attorney Docket Number.	1999U021.US

I hereby appoint:

☐ Practitioners at Customer Number  →

*Place Customer  
Number Bar Code  
Label Here*

**OR**

DATE DOCKETED

☒ Practitioner(s) named below:

3/28/2001

By JAK

Attorney/Agent	Registration Number
Darrell E. Warner	36,046
Lisa Kimes Jones	41,878
Raul R. Montes	32,545

As my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

**OR**

<input checked="" type="checkbox"/> Firm or Individual Name	Univation Technologies, LLC				
Address	5555 San Felipe				
Address	Suite 1950				
City	Houston	State	Texas	Zip Code	77056
Country	United States of America				
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I am the:

☐ Applicant

☒ Assignee of record of the entire interest

**SIGNATURE OF Applicant or Assignee of Record**

Name (Print/Type)	Raul R. Montes, General Counsel and Secretary for Univation Technologies, LLC
Signature	<i>Raul R. Montes</i>
Date	3-17-01

09/392,421-036666

**ASSIGNMENT OF INVENTION, PRIORITY RIGHTS AND RIGHTS TO APPLY FOR PATENTS**

I, the undersigned, Timothy T. Wenzel, Dick A. Nagaki, Simon Mawson, David James Schreck, and Thomas H. Peterson, HEREBY STATE UNDER OATH that I am the original and first inventor or co-inventor of an invention for *Catalyst Modifiers and Their Use in the Polymerization of Olefin(s)* as described and/or claimed in my application for Letters Patent in the United States of America, executed on October 11, 12, 15, 1999, given the Serial No. 09/392,421, and filed on September 9, 1999, with the Family Number 1999U021.

NOW, THEREFORE, in consideration of my employment by Union Carbide Corporation, manufacturers, a corporation organized and existing under the laws of the State of New York, United States of America and having an office at 39 Old Ridgebury Road, Danbury, State of Connecticut, 06817-0001, United States of America, and having as its fifty-percent-owned joint venture, UNIVATION TECHNOLOGIES, LLC, technology licensors, a corporation organized and existing under the laws of the State of Delaware, United States of America, and having an office at 5555 San Felipe, Suite 1950, Houston, Texas 77056, United States of America,

I DO HEREBY ASSIGN AND TRANSFER, without any restrictions, reservations or limitations, my entire right, title, and interest in and to said invention and application unto, as the Assignee, the aforesaid UNIVATION TECHNOLOGIES, LLC, its successors, assigns and nominees, and the entire right, title and interest in and to all patents which may be granted thereon, and all divisions, continuations, continuations-in-part, reissues, reexaminations and extensions thereof;

AND ALL PRIORITY RIGHTS derived from the aforesaid application for Letters Patent by virtue of the International Convention for the Protection of Industrial Property, for any and all member countries of the aforesaid International Convention;

AND THE SOLE RIGHT to file such applications under the Patent Laws of any country of the world in its name and/or mine, and the sole right to have patents granted on said applications in its name and/or mine to the full end of the term for which said patents may be granted as fully and entirely as the same would have been held by me had this assignment not been made, and to enforce said patents with my right to sue for and recover accrued profits or damages for any and all infringements thereof;

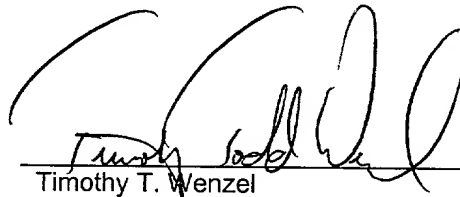
AND AUTHORIZE the above-named Assignee to insert in this instrument the execution date, serial number and filing date of said application;

AND AUTHORIZE AND REQUEST the Commissioner of Patents and Trademarks to issue all patents on said invention to said UNIVATION TECHNOLOGIES, LLC as Assignee of the entire right, title and interest, and covenant that I have full right so to do, and agree that I will communicate to said Corporation or its representatives any facts known to me respecting said invention and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid said Corporation, its successors, assigns, and nominees, to obtain and enforce proper protection for said invention in all countries.

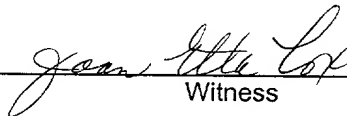
IN WITNESS WHEREOF, this assignment has been executed by UNDERSIGNED on the date opposite UNDERSIGNED'S NAME.

DATE

10/12/99

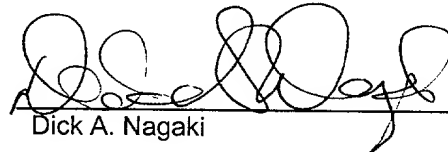
  
Timothy T. Wenzel

(LS)

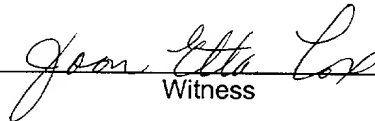
  
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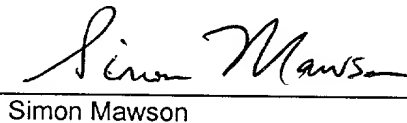
  
Dick A. Nagaki

(LS)

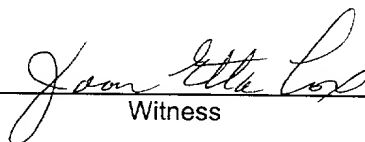
  
Witness

DATE

10/12/99

  
Simon Mawson

(LS)

  
Witness

DATE

10/15/99

*David James Schreck*  
David James Schreck

(LS)

*Jeanette Cox*  
Witness

DATE

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*Thomas H. Peterson*  
Thomas H. Peterson

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*Jeanette Cox*  
Witness

10-11-99 09:00:00